

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  
(REV 10-2003)

ATTORNEY'S DOCKET NO.

890050.504USPC

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/511623

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO.  
PCT/JP03/04953

INTERNATIONAL FILING DATE  
April 18, 2003

PRIORITY DATE CLAIMED  
April 19, 2002

**TITLE OF INVENTION**

**APPARATUS FOR DISCRIMINATING OPTICAL RECORDING MEDIUM AND METHOD FOR DISCRIMINATING OPTICAL RECORDING MEDIUM**

**APPLICANT(S) FOR DO/EO/US**

**Takashi Namioka; Yasufumi Takasugi; Kazuo Fukunaga; Toshikazu Hosobuchi; Giichi Shibuya; Hideki Hirata; and Kazuki Suzawa**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER																							
10/511623		PCT/JP03/04953		890050.504USPC																							
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1110.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$950.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$790.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$750.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>  Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). <table border="1"><thead><tr><th>Claims</th><th>Number Filed</th><th>Number Extra</th><th>Rate</th></tr></thead><tbody><tr><td>Total Claims</td><td>6 - 20 =</td><td>0</td><td>x \$ 18.00</td></tr><tr><td>Independent Claims</td><td>6 - 3 =</td><td>3</td><td>x \$ 88.00</td></tr><tr><td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td><td>+ \$300.00</td></tr><tr><td colspan="3"><b>TOTAL OF ABOVE CALCULATIONS =</b></td><td><b>\$1,214.00</b></td></tr></tbody></table> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. <b>SUBTOTAL =</b>  Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). <b>TOTAL NATIONAL FEE =</b>  Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property <b>TOTAL FEES ENCLOSED =</b>  <table border="1"><tr><td><b>Amount to be refunded:</b></td></tr><tr><td><b>Charged:</b></td></tr></table>				Claims	Number Filed	Number Extra	Rate	Total Claims	6 - 20 =	0	x \$ 18.00	Independent Claims	6 - 3 =	3	x \$ 88.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$300.00	<b>TOTAL OF ABOVE CALCULATIONS =</b>			<b>\$1,214.00</b>	<b>Amount to be refunded:</b>	<b>Charged:</b>	<b>CALCULATIONS PTO USE ONLY</b>	
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				\$1,254.00																							

a. ☒ A check in the amount of \$1,254 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 19-1090 in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.


c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-1090. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

**David V. Carlson**  
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Seattle, WA 98104-7092  
United States of America  
(206) 622-4900

  
SIGNATURE

**David V. Carlson**  
NAME

**31,153**  
REGISTRATION NUMBER